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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/834,856

04/12/2001

Adam D. Sah

004055.P008

5570

26874

7590

06/17/2004

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EXAMINER

CZEKAJ, DAVID J

ART UNIT

PAPER NUMBER

2613

7

DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/834,856

Applicant(s)

SAH, ADAM D.

Examiner

Dave Czekaj

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to because:

In figure 3, box 328, the examiner understood "Definion" to be "Definition".

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities:

On page 9, line 4, the examiner could not find the label "computer system 230" in the corresponding figure.

On page 11, line 15, the examiner understood "motion director 312" to be "motion detector 312".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seeley et al. (6618074), (hereinafter referred to as "Seeley") in view of Enright et al. (6583813), (hereinafter referred to as "Enright").

Regarding claims 1, 5, 13, and 17, Seeley discloses an apparatus that relates to a video security system for simultaneously monitoring a number of premises (Seeley: column 1, lines 25-27). This apparatus comprises "a network connection to send the image to the user's system" (Seeley: figures 1 and 3, column 5, lines 57-67, wherein sending the image is the process of sending the image data to the operator upon detection of an alarm) and "degrading logic to degrading the image after a period of time" (Seeley: column 6, lines 43-67 – column 7, lines 1-24, wherein the period of time is the time from the intrusion is detected until the time the image is sent to the user or operator, the degrading is the compression, the degrading logic is the compressor). However, this apparatus lacks refreshing the image periodically as claimed. Enright teaches

that current camera surveillance systems either record too much or not enough data (Enright: column 1, lines 65-67 – column 2, lines 1-8). To help alleviate this problem, Enright discloses an apparatus that allows an operator to adjust a refresh rate so the appropriate amount of pictures can be obtained (Enright: figures 45 and 52, wherein the refresh rate is adjusting the amount of images taken per unit of time). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Seeley and add the refreshing taught by Enright in order to obtain an apparatus that can obtain the correct amount of data in response to an event.

Regarding claims 2 and 14, although not disclosed, it would have been obvious to incorporate the degrading to include reducing the image size (Official Notice). Doing so would have been obvious in order to conform the bandwidth requirements of the system.

Regarding claims 3 and 15, Seeley discloses “the degrading comprises decreasing image resolution” (Seeley: figures 4A and 4B, wherein the degrading is the compression).

Regarding claims 4 and 16, Seeley discloses “determining if it’s time to degrade the image and if it is, degrading the image” (Seeley: column 6, lines 43-67 – column 7, lines 1-24, wherein determining if it’s time to degrade the image is authenticating the image. Once the image is determined to be authentic, the image is degraded or compressed and sent to the user).

Regarding claims 6 and 18, Seeley discloses “determining if it’s time to degrade comprises determining that a window displaying the image is not visible to the user” (Seeley: column 6, lines 61-67, wherein the authentication process has the initial image not visible by the user. Once the alarm is deemed valid, the image is degraded, or compressed).

Regarding claim 7, Seeley discloses “the determination whether to degrade the image is periodically evaluated” (Seeley: column 6, lines 61-67, wherein the periodic evaluation is the authentication process which determines whether an image will be compressed or degraded).

Regarding claim 8, Enright discloses the “period to evaluate the determination whether to degrade the image is greater than a refresh period of the image” (Enright: figures 45, 48, 51, and 52, wherein degrading the image increasing the refresh rate, which is evaluated and changed for each session illustrated in figure 51, which is greater than the refresh period).

Regarding claim 9, Enright discloses “whether to degrade the image occurs concurrently with a refresh cycle” (Enright: figures 48 and 52, wherein degrading the image is increasing the refresh cycle which is shown to occur concurrently with the refresh cycle).

Regarding claims 10 and 19, Enright discloses “if the determination indicates that the image should be degraded, upon refresh, the degraded image is loaded” (Enright: figures 48 and 51-52, wherein the determination is the comparison of the time of day to the time schedule. Upon reaching a designated

time, the image could be degraded depending on the user parameters for the camera for that particular time period, which would occur with a refresh cycle).

Regarding claims 11 and 12, Enright discloses "determining whether to degrade the image is made when a timer/counter reaches a preset value" (Enright: figure 51, wherein the determination is the comparison of the time of day to the time schedule. The examiner notes that time comparison involves the use of timers and counters).

Regarding claims 20 and 21, Seeley discloses a "quality increase request monitor to reset the image to its original refresh rate upon detecting a request by a user" (Seeley: figure 10, column 10, lines 28-52, wherein the resetting the image to the original refresh rate is the process of the user clicking the thumbnail (lower refresh rate) to view a larger image (original refresh rate)).

Conclusion


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US-6675386	01-2004	Hendricks et al.
US-6434320	08-2002	Orth et al.
US-2002/0003575	01-2002	Marchese, Joseph R.
US-2003/0108327	06-2003	Sunagawa, Osami
US-6570610	05-2003	Kipust, Alan
US-6175373	01-2001	Johnson, Drew S.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (703) 305-3418. The examiner can normally be reached on Monday - Friday 9 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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